

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

MICHAEL and KELLY YURCIC, :

Plaintiffs, :

v. :

PURDUE PHARMA, L.P., PURDUE
PHARMA, INC., PURDUE FREDERICK
COMPANY, ABBOTT LABORATORIES, :
ABBOTT LABORATORIES, INC., :
MORTON RUBIN, M.D., and HOWARD
R. CORBIN, M.D., :

Defendants. :

Case No. 02-CV-3737

ORDER

AND NOW, this ____ day of _____, 2002, upon consideration of the Motion to Transfer Venue Pursuant to Title 28 U.S.C. § 1404(a) filed by Purdue Pharma L.P., Purdue Pharma Inc. and The Purdue Frederick Company and the response thereto, it is hereby ORDERED that the Motion is GRANTED. IT IS ORDERED that this case be transferred immediately to the Middle District of Pennsylvania.

BY THE COURT:

J.

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

MICHAEL and KELLY YURCIC,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	Case No. 02-CV-3737
	:	
PURDUE PHARMA, L.P., PURDUE	:	
PHARMA, INC., PURDUE FREDERICK	:	
COMPANY, ABBOTT LABORATORIES,	:	
ABBOTT LABORATORIES, INC.,	:	
MORTON RUBIN, M.D., and HOWARD	:	
R. CORBIN, M.D.,	:	
	:	
Defendants.	:	
	:	

**MOTION TO TRANSFER VENUE
PURSUANT TO TITLE 28 U.S.C. § 1404(a)**

Defendants, Purdue Pharma L.P., Purdue Pharma Inc. and The Purdue Frederick Company (collectively the “Purdue Defendants”) by and through their counsel, hereby move for a transfer of this case to the Middle District of Pennsylvania, in support of which the following is averred:

1. On May 31, 2002, Plaintiffs Michael and Kelly Yurcic filed a six count Complaint alleging various theories of products liability and medical malpractice arising out of Mr. Yurcic’s alleged addiction to OxyContin® Tablets (“OxyContin”), a federally-approved opioid prescription pain medication.

2. The case was timely removed to federal court on the basis of diversity and federal question jurisdiction.

3. Both of the Plaintiffs reside in the Middle District of Pennsylvania. Plaintiff

Michael Yurcic received virtually all of his medical treatment concerning OxyContin in the Middle District of Pennsylvania.

4. None of the pharmaceutical Defendants reside in Pennsylvania, but each of them is subject to personal jurisdiction in the Middle District of Pennsylvania.

5. All of Plaintiffs' medical records and other pertinent documents are located in the Middle District of Pennsylvania.

6. Mr. Yurcic was allegedly treated at three treatment centers, two of which are located in the Middle District of Pennsylvania, and the third of which is located in the Eastern District of Pennsylvania, but is closer to the Harrisburg federal courthouse than to the Philadelphia federal courthouse.

7. All of the operative facts and all of the critical Pennsylvania-based witnesses are located in the Middle District of Pennsylvania.

8. This litigation has no relevant connection to the Eastern District of Pennsylvania.

9. Accordingly, it would more convenient for all parties and witnesses and serve the interests of justice if this case were immediately transferred to the Middle District of Pennsylvania.

AKIN, GUMP, STRAUSS, HAUER &
FELD, L.L.P.

By _____
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Purdue Pharma Inc.
The Purdue Frederick Company

Dated: July 11, 2002